

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.13051 of 2007

Between:

Mohammed Abdul Hai.

.. PETITIONER

and

The Regional Passport Officer,
Station Road,
Secunderabad.

.. RESPONDENT

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.13051 of 2007

ORDER:

-
-

It is stated that the petitioner obtained passport bearing No. A 2719284 on 13-02-1997 and it is valid upto 12-02-2007. In the said passport, his date of birth was shown as 11-05-1975, place of birth was shown at Nizamabad, father's name was shown as Mohammad Ahmed Hussain and mother's name was shown as Shahazadi Begum. It is stated that his date of birth was wrongly entered in the passport as 11-06-1975 instead of 11-06-1979. Therefore, he filed an application, dated 07-02-2007, before the respondent to correct the date of birth as 11-06-1975 instead of 11-06-1979, duly enclosing relevant School record and household card. It is stated that the petitioner studied in the Modern Public School, Nizamabad, and the Secondary School Certificate issued by the Board of Secondary Education goes to show that his date of birth was shown as 11-06-1979 and his father's name was shown as Ahmed Hussain. It is stated that the petitioner's father name is Mohammad Ahmed Hussain, but in the Secondary School Certificate issued by the Board of Secondary Education, his father's name was shown as Ahmed Hussain. Anyway, it is for the petitioner to satisfy the concerned Authority about the correct name of his father. However, the grievance of the petitioner is that he filed an application, dated 07-02-2007, before the respondent requesting to correct the date of birth. But, the respondent directed the petitioner to furnish declaratory order from the civil court regarding the date of birth otherwise the said application will be closed. Questioning the said order, this writ petition has been filed.

It is stated that as per the Circular, dated 18-04-2001, issued by the Government of India, Ministry of External Affairs, with regard to the correction of entries in the passport relating to date of birth and place of

birth, there is no need for any declaratory order and the competent authority is entitled to verify the date of birth basing on the Certificate issued by the Educational Board and on the basis of the supportive documentary evidence.

It is also stated that in similar facts and circumstances, this Court in W.P.No.18325 of 2006, dated 19-12-2006, directed the respondent therein to consider the application of the petitioner for fresh passport, without insisting on any declaratory decree from the civil court, on the basis of the supportive documents produced by the petitioner.

Following the same, this writ petition is allowed setting aside the impugned order directing the respondent to consider the application of the petitioner for correction of the date of birth in the passport, without insisting on any declaratory decree from the civil court, on the basis of the supportive documents produced by the petitioner. Such exercise shall be completed as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

22-06-2007

Prv